

Reopen prosecution

In response to persuasive arguments made in an interview, the finality of the previous office action is withdrawn and prosecution on the merits of the claims is reopened. Claims 40-45 are hereby rejoined with elected claims 1-5, 8-11 and 38-39.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tom Holsten on 3/23/06.

The application has been amended as follows:

In the claims:

Claim 1: In steps (i) and (ii) replace "a sequence" with --the sequence--.

Claims 2-4: In line 2 of each claim, replace "a nucleic" with --the nucleic --.

Claim 5: In line 2, replace "a sequence" with --the sequence--.

Claims 38-39: In line 2 of each claim, replace "a nucleotide" with --the nucleotide--.

Claim 43: In line 1, replace "organism" with --plant--.

Cancel claims 44-45.